

C. Remarks

This Response is a submission under 37 C.F.R. § 1.114 for a Request for Continued Examination (RCE).

At the outset, the Applicants and the undersigned wish to thank Examiner Al Aubaidi and Supervisory Examiner Matar for the courtesies extended during the telephonic interview conducted on May 10, 2004.

In the Office Action, claims 1-28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,259,026 to Johnson in view of U.S. Patent No. 5,644,625 to Solot. Applicants respectfully traverse each of these rejections for at least the following reasons.

Claims 1-7

Applicants have herein amended independent claim 1 to provide:

A system for routing a communication directed to a directory number, wherein a redirection service is operative with respect to the communication directed to the directory number to automatically direct the communication away from the directory number, without intervention by a calling party, to at least one other directory number whenever the directory number to which the communication was directed is temporarily inoperative due to a temporary service disruption, the system comprising:

a switch configured to receive the communication in a switched telephone network, wherein the communication is directed to the temporarily inoperative directory number having the redirection service, and wherein the switch is configured to detect the temporarily inoperative directory number associated with the communication; and

a service control point, in communication with the switch, wherein the switch is configured to provide the

temporarily inoperative directory number to the service control point, and wherein the service control point includes a database of subscriber information maintained by the network, and wherein the service control point is configured to search the database of subscriber information for a matching entry to the temporarily inoperative directory number, and wherein the service control point is configured to instruct the switch to redirect the communication away from the temporarily inoperative directory number to the at least one other directory number upon finding the matching entry, and wherein the service control point is configured to retain the temporarily inoperative directory number in the database for routing a subsequent communication thereto after the temporary service disruption has been resolved.

Support for this amendment may be found throughout the specification and claims as filed. Applicants note that although the above amendment differs in form from the proposed amendment discussed in the telephonic interview, its substance and scope are nonetheless consistent with that of the proposed amendment.

Applicants respectively submit that claim 1, as amended, is nonobvious over the combination of Johnson and Solot because these references, either alone or in combination, fail to teach or suggest every element of amended claim 1. More specifically, Applicants respectfully submit that the Johnson and Solot references, either alone or in combination, fail to teach or suggest, among other things,

[a] system for routing a communication directed to a directory number, wherein a redirection service is operative with respect to the communication directed to the directory number to automatically direct the communication away from the directory number, without intervention by a calling party, to at least one other directory number whenever the directory number to which the communication was directed is temporarily inoperative due to a temporary service disruption, the system comprising:

...

a service control point, in communication with the switch, wherein the switch is configured to provide the temporarily inoperative directory number to the service control point, and wherein the service control point includes a database of subscriber information maintained by the network, and wherein the service control point is configured to search the database of subscriber information for a matching entry to the temporarily inoperative directory number, and wherein the service control point is configured to instruct the switch to redirect the communication away from the temporarily inoperative directory number to the at least one other directory number upon finding the matching entry, and wherein the service control point is configured to retain the temporarily inoperative directory number in the database for routing a subsequent communication thereto after the temporary service disruption has been resolved,

as recited in amended claim 1.

Johnson discloses a method for automatically updating a speed calling data base in a telecommunications network that includes the steps of identifying the number of a speed call as being non-working, retrieving the updated telephone number, and replacing the non-working number in the speed calling data base with the updated number. See, e.g., Abstract. Johnson discloses that this method is inapplicable, however, in cases where the number is non-working as a result of a temporary service disruption. This is because a temporarily non-working number to which a call is placed does not have an associated updated number to which the call may be re-directed.

For example, Johnson states at column 6, lines 64-66 that “[a]n updated number may be unavailable for many reasons such as, the phone number is only temporarily out of service....” In such cases, Johnson discloses that the SLP 26 at the SCP 21 is configured to generate a message containing a null updated number that that causes

the switch to terminate a call made to the non-working number. See, e.g., column 7, lines 6-17 and Figure 3C.

By contrast, amended claim 1 includes at least one other directory number to which a call placed to a temporarily inoperative number is re-directed. In particular, the SCP of amended claim 1 is configured to “search the database of subscriber information for a matching entry to the temporarily inoperative directory number” and to “instruct the switch to redirect the communication away from the temporarily inoperative directory number to the at least one other directory number upon finding the matching entry.”

Furthermore, in addition to the above-described distinction between Johnson and amended claim 1, Johnson teaches that where an updated number is otherwise available (i.e., the number is not just temporarily unavailable), the SLP 26 of the SCP 21 is configured to *replace* the outdated (i.e., non-working) number with the updated number. See, e.g., column 7 lines 29-41. By contrast, the SCP of claim 1, as amended, is configured to “retain the temporarily inoperative directory number in the database for routing a subsequent communication thereto after the temporary service disruption has been resolved.”

Solot is cited by the Examiner as teaching the automatic initiation of a phone call to a new phone number without intervention by the calling party. Applicants submit that, even if true, Solot nonetheless fails to remedy the above-identified defects of Johnson with respect to claim 1, as amended.

For at least the above reasons, Applicants respectfully submit that the Johnson and Solot references, either alone or in combination, fail to teach or suggest each and

every element of claim 1, as amended. Therefore, Applicants respectfully submit that the Office has failed to establish a *prima facie* case of obviousness and Applicants respectfully request withdrawal of the obviousness rejection with respect to claim 1 and claims 2-4, 6, and 7 depending therefrom. See MPEP § 2143.03 (to establish a *prima facie* case of obviousness, all claim limitations must be taught or suggested in the prior art and if an independent claim is non-obvious under § 103(a), then any claim depending therefrom is non-obvious).

Additionally, applicants have herein amended dependent claims 2 and 6 to conform to the amendment of base claim 1 and reflect the cancellation of claim 5. Support for these amendments may be found throughout the specification as filed.

Claims 8-28

Claim 8 has been amended in a manner similar to claim 1. Therefore, for reasons analogous to those presented with respect to claim 1, applicants respectfully submit that claim 8, as well as claims 9-11 and 13-14 depending therefrom, are also non-obvious and patentable over the cited references. Additionally, claims 9, 10, and 13 depending from claim 8 have been amended conform to base claim 8, reflect the cancellation of claim 12, and correct minor typographical errors.

Claim 15 has been amended in a manner similar to claim 1. Therefore, for reasons analogous to those presented with respect to claim 1, applicants respectfully submit that claim 15, as well as claims 16-18, 20, and 21 depending therefrom, are also non-obvious and patentable over the cited references. Additionally, claims 16, 17, and

20 depending from claim 15 have been amended to conform to base claim 15, reflect the cancellation of claim 19, and correct minor typographical errors.

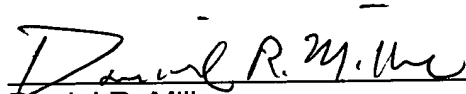
Claim 22 has been amended in a manner similar to claim 1. Therefore, for reasons analogous to those presented with respect to claim 1, applicants respectfully submit that claim 22, as well as claims 23-25, 27, and 28 depending therefrom, are also non-obvious and patentable over the cited references. Additionally, claims 23, 24, and 27 depending from claim 22 have been amended to conform to base claim 22, reflect the cancellation of claim 26, and correct minor typographical errors.

Applicants are not otherwise conceding, however, the correctness of the Office's rejection with respect to any of the dependent claims discussed above and hereby reserve the right to make additional arguments as may be necessary, because additional features of the dependent claims further distinguish the claims from the cited references, taken alone or in combination. A detailed discussion of these differences is believed to be unnecessary at this time in view of the basic differences in the independent claims pointed out above.

D. Conclusion

Applicants respectfully request a Notice of Allowance for the pending claims in the present application. If the Examiner is of the opinion that the present application is in condition for disposition other than allowance, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below in order that the Examiner's concerns may be expeditiously addressed.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Daniel R. Miller", is written over a horizontal line.

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